

RECORDATION NO. 19297 - C
FILED

JUN 22 '10 -11 03 AM

SURFACE TRANSPORTATION BOARD

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ELIAS C. ALVORD (1942)
ELLSWORTH C. ALVORD (1964)

June 22, 2010

Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Dear Section Chief,

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Termination of Agency Agreement and Security Interest, dated as of June 1, 2010, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the documents previously filed with the Board under Recordation Number 19297.

The names and addresses of the parties to the enclosed document are:

Owner: The Buncher Company, Inc.
5600 Forward Avenue
Pittsburgh, PA 15217

Agent: First Union Rail Corporation (successor to
Interail, Inc.)
One O'Hare Center
6250 River Road, Suite 5000
Rosemont, IL 60018

Section Chief
June 22, 2010
Page 2

A description of the railroad equipment covered by the enclosed document is:

52 railcars TERMINATED: IC 245900 - IC 245951.

A short summary of the document to appear in the index is:

Termination of Agency Agreement and Security Interest.

Also enclosed is a check in the amount of \$41.00 payable to the order of the Surface Transportation Board covering the required recordation fee

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Alvord', with a stylized flourish at the end.

Robert W. Alvord

RWA/sem
Enclosures

JUN 22 '10 -11 03 AM

TERMINATION OF AGENCY AGREEMENT AND SECURITY INTEREST**SURFACE TRANSPORTATION BOARD**

THIS TERMINATION OF AGENCY AGREEMENT AND SECURITY INTEREST
is made as of June 1, 2010 by and between

THE BUNCHER COMPANY, a Pennsylvania corporation having a place of business in Pittsburgh, Allegheny County, Pennsylvania, hereinafter referred to as "Owner,"

AND

FIRST UNION RAIL CORPORATION, a North Carolina corporation having a principal place of business in Rosemont, Cook County, Illinois, hereinafter referred to as "Agent."

WITNESSETH:


1. **Interail, Inc.** (the "Original Agent") and Owner entered into an Agency Agreement dated as of January 26, 1995 (the "Agency Agreement") whereunder, among other things, Original Agent managed the fifty-two (52) 52'6" gondola cars built in 1975 bearing the reporting marks **IC 245900 through IC 245951** (the "Cars") on behalf of Owner;
2. To evidence the Agency Agreement, a Memorandum of Agency Agreement and Interest dated as of January 26, 1995 was filed at the Interstate Commerce Commission (predecessor to the Surface Transportation Board) on March 16, 1995 at 10:10 A.M. with recordation number 19297-A;
3. Agent is the successor to Original Agent under the Agency Agreement; and
4. On or before the date hereof, the Cars subject to the Agency Agreement have been sold by Owner to **Illinois Central Railroad Company**.



NOW THEREFORE, for good and valuable consideration, Agent and Owner agree and acknowledge for the public record that (i) the Agency Agreement is hereby terminated (except for such terms thereof which expressly survive termination) and (ii) any security interests created thereunder in the Cars are hereby released.

IN WITNESS WHEREOF, Owner and Lessee have caused this Termination of Agency Agreement and Security Interest to be executed as of the date first above written.

ATTEST:

THE BUNCHER COMPANY

By: 
Bernita Buncher
Secretary

By: 
Thomas J. Balestrieri
President/CEO 

(Corporate Seal)

ATTEST:

FIRST UNION RAIL CORPORATION

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

IN WITNESS WHEREOF, Owner and Lessee have caused this Termination of Agency Agreement and Security Interest to be executed as of the date first above written.

ATTEST:

THE BUNCHER COMPANY

By: _____
Bernita Buncher
Secretary

By: _____
Thomas J. Balestrieri
President/CEO

(Corporate Seal)

ATTEST:

FIRST UNION RAIL CORPORATION

By: Susan Grokulska
Name: SUSAN GROKULSKY
Title: ASSISTANT DIRECTOR
OF DOCUMENTATION

By: Richard F. Seymour
Name: RICHARD F. SEYMOUR
Title: VICE PRESIDENT SALES & MARKETING

;

On this 15 day of June, 2010, before me, a notary public, personally appeared THOMAS J. BALESTRIERI, to me personally known, who, by me being duly sworn, says that he is the President/CEO of The Buncher Company, that the foregoing instrument was signed on behalf of said corporation by authority of its board of directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Notary Public

My commission expires: 9.14.2010

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jean Farkas, Notary Public
City Of Pittsburgh, Allegheny County
My Commission Expires Sept 14, 2010

)

On this _____ day of June, 2010, before me personally appeared _____, to me personally known, who, by me being duly sworn, says that he / she is _____ of First Union Rail Corporation, that the foregoing instrument was signed on behalf of said corporation by authority of its board of directors, and he / she acknowledged that the execution of the foregoing instrument was the free act of said corporation.

Notary Public

My commission expires:

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF ALLEGHENY)

ss.:

On this _____ day of May, 2010, before me, a notary public, personally appeared THOMAS J. BALESTRIERI, to me personally known, who, by me being duly sworn, says that he is the President/CEO of The Buncher Company, that the foregoing instrument was signed on behalf of said corporation by authority of its board of directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Notary Public

My commission expires:

STATE OF ILLINOIS)

COUNTY OF COOK)

ss.:

On this 1st day of June, 2010, before me personally appeared RICHARD F. SEYMOUR, to me personally known, who, by me being duly sworn, says that he / she is VICE PRESIDENT, SALES & MARKETING of First Union Rail Corporation, that the foregoing instrument was signed on behalf of said corporation by authority of its board of directors, and he / she acknowledged that the execution of the foregoing instrument was the free act of said corporation.

K. A. Dombrowski
Notary Public

My commission expires:

